

8. *Drydocking.*—The nearest District Office of the United States Maritime Commission must be notified when and where it is contemplated drydocking a vessel, sufficiently in advance of such drydocking to permit of a representative of the Technical Division being present at the docking.

9. *Damage surveys.*—The Operator must promptly notify the nearest District Representative of the Maritime Commission of all damage surveys.

10. *Condition surveys* will be held on vessels to determine if the vessels are being properly maintained and operated. These survey reports will be made by a representative of the Technical Division and forwarded to the Washington office semi-annually. These surveys will be reported on T. D. Form R-100-B.

11. *Forms to be submitted by operators (in accordance with paragraphs 9 and 27 of operating-differential subsidy agreement).*—The following forms, for use in connection with the work of the Technical Division, must be prepared and submitted to the nearest District Office by the Operator for transmittal to the Washington Office of the Maritime Commission. The Forms listed are pro forma only and the Operator is required to submit the information sought on the forms in line with the attachments:

(a) *Form No. 2.*—Certificate for completion of all requisitioned work or material, including cancellation, if any, shall be attached to Form No. 11 (Summary Report).

(b) *Form No. 3.*—Drydock Report—on all vessels whenever drydocked.

(c) *Form No. 11.*—Summary Report on Voyage Repairs. This form is to be submitted in duplicate upon completion of all repairs charged to the terminating voyage, and within a period of *not in excess of ten (10) days* after each vessel has sailed from her last American port of call on the next outward voyage. These "summaries" must be carefully prepared to cover the following information: Voyage numbers, dates of beginning and ending of voyages, dates of starting and completing repairs; contractors' names; contract numbers and a breakdown of such contract into its component parts. The "summaries" must include all expenditures made on requisitions for repairs, materials, and/or other services, which are properly chargeable to the various repair accounts. After examination by the Technical Division to determine the propriety of charges to be considered for participation in subsidy payments, one copy of these "summaries" will be returned to the Operator, where it is to be held available for examination when audit is made.

12. *Other reports to be submitted by operators* to the nearest District Office for transmittal to the Washington Office of the United States Maritime Commission:

(a) Signed copies of all reports of accidents to hull, machinery and/or equipment.

(b) Signed copies of all survey reports and/or requirements of the U. S. Salvage Association or other underwriters.

By order of the United States Maritime Commission.

[SEAL] W. C. PEET, Jr., *Secretary.*

DECEMBER 20, 1937.

[F. R. Doc. 37-3758; Filed, December 22, 1937; 1:56 p. m.]

signed on November 28, 1936, with Costa Rica and all other duties theretofore proclaimed in connection with trade agreements concluded under the authority of the Act to Amend the Tariff Act of 1930, approved June 12, 1934 (48 Stat. 943), as extended by the Joint Resolution approved March 1, 1937 (Public Resolution No. 10, 75th Congress), I hereby direct that the aforesaid duties (with the exception of the duties proclaimed in connection with the trade agreement signed on August 24, 1934, with Cuba) shall continue to be applied to the products of Italy so long as such duties remain in effect, and this direction is not modified.

The above mentioned letter of July 3, 1937, is modified accordingly, and you will please cause notice of this modification to be published in an early issue of the weekly *Treasury Decisions*.

Very sincerely yours,

[SEAL]

FRANKLIN D. ROOSEVELT

[F. R. Doc. 37-3770; Filed, December 27, 1937; 9:56 a. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 49297]

CONVERSION OF BRAZILIAN MILREIS FOR THE PURPOSE OF THE ASSESSMENT OF DUTIES ON MERCHANDISE INTO THE UNITED STATES

DECEMBER 20, 1937.

To Collectors of Customs and Others Concerned:

Reference is made to the instructions published in T. D. 48467 of August 8, 1936, T. D. 48553 of October 5, 1936, and T. D. 49277 of December 6, 1937, concerning the collection of duties in cases involving the conversion of Brazilian milreis.

T. D. 49277 is hereby revoked, and collectors of customs are hereby directed not to apply the instructions set forth in T. D. 48467, as modified by T. D. 48553, with respect to merchandise exported to the United States on or after November 18, 1937.

The rates stated below should be used when it is necessary to convert the Brazilian milreis into currency of the United States for the purpose of assessing and collecting duties on merchandise exported to the United States on the dates indicated. It will be noted that the value of the Brazilian milreis proclaimed by the Secretary of the Treasury for the quarter beginning October 1, 1937 (T. D. 49175), varies by more than 5 per centum from each of the values measured by the rates published below. Rates for the milreis for dates subsequent to those stated below will be regularly published in the weekly *Treasury Decisions*.

1937:	Dollars	1937:	Dollars
Nov. 18.....	0.058625	Dec. 3.....	.055787
Nov. 19.....	.058500	Dec. 4.....	.055785
Nov. 20.....	.058975	Dec. 6.....	.055900
Nov. 22.....	.059357	Dec. 7.....	.055357
Nov. 23.....	.059312	Dec. 8.....	.055500
Nov. 24.....	.058416	Dec. 9.....	.055423
Nov. 26.....	.057428	Dec. 10.....	.054525
Nov. 27.....	.057162	Dec. 11.....	.054300
Nov. 29.....	.056166	Dec. 13.....	.054312
Nov. 30.....	.054937	Dec. 14.....	.054428
Dec. 1.....	.054957	Dec. 15.....	.054357
Dec. 2.....	.055614	Dec. 16.....	.054714

[SEAL]

STEPHEN B. GIBBONS,

Acting Secretary of the Treasury.

[F. R. Doc. 37-3769; Filed, December 27, 1937; 9:56 a. m.]

Tuesday, December 28, 1937

No. 250

PRESIDENT OF THE UNITED STATES.

APPLICATION OF DUTIES PROCLAIMED IN CERTAIN TRADE AGREEMENTS TO PRODUCTS OF ITALY

THE WHITE HOUSE,
Washington, December 18, 1937.

THE HONORABLE HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

MY DEAR MR. SECRETARY: With reference to my letter addressed to you on July 3, 1937, concerning the application of duties proclaimed in connection with the trade agreement

POST OFFICE DEPARTMENT.

CORRECTION OF MAILING LISTS

AMENDMENT TO PARAGRAPH 6, SECTION 702 OF THE POSTAL LAWS AND REGULATIONS

NOVEMBER 22, 1937.

Paragraph 6, section 702 of the Postal Laws and Regulations is amended to read as follows:

"6. Mailing lists submitted by State departments, municipalities, religious, fraternal, and recognized charitable or-

ganizations, and mailing lists used by the concerns submitting them for correction for the solicitation of business by mail in connection with sales work, shall be corrected as frequently as requested at the expense of the owners, including return postage."

[SEAL]

JAMES A. FARLEY,
Postmaster General.

[F. R. Doc. 37-3782; Filed, December 27, 1937; 11:56 a. m.]

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

At a Regular Session of the National Bituminous Coal Commission held at its offices in Washington, D. C., on the 21st day of December, 1937.

[Docket No. 55-FD]

ORDER IN THE MATTER OF AN INVESTIGATION AND HEARING TO DETERMINE THE NATURE AND EXTENT OF INTRASTATE COMMERCE IN BITUMINOUS COAL IN THE STATE OF PENNSYLVANIA AND THE EFFECT OF SUCH COMMERCE ON INTERSTATE COMMERCE IN SUCH COAL.

It appearing that by Orders No. 2 and No. 37, the Commission, upon its own motion entered into and conducted an investigation under the provisions of Section 4-A of the Bituminous Coal Act of 1937, for the purpose of determining the nature and extent of transactions in intrastate commerce in bituminous coal in the State of Pennsylvania and the effect of such transactions upon interstate commerce in such coal; and

It further appearing that reasonable public notice of a hearing was provided and that at said hearing interested parties were afforded an opportunity to be heard; that the presiding Examiner duly designated by the Commission having filed his report and recommendations and the Commission having given due consideration to said report and recommendations and to the record of the evidence in this proceeding; and, the Commissioner having on the 21st day of December, 1937, adopted the Examiner's report and recommendations as its own which said report is hereby referred to and made a part hereof;

Now, therefore it is by order declared:

That substantially all transactions in bituminous coal in intrastate commerce in the State of Pennsylvania directly affect interstate commerce in such coal; and

That there will be an undue or unreasonable advantage, preference or prejudice as between localities in Pennsylvania in such intrastate commerce on the one hand and interstate commerce in bituminous coal on the other hand, and an undue, unreasonable, or unjust discrimination against interstate commerce in such coal if such transactions in intrastate commerce or any substantial part thereof are not regulated and subjected to the provisions of Section 4 of the Bituminous Coal Act of 1937.

Therefore, it is further ordered:

1. That on and after the 7th day of January, 1938, all bituminous coal sold, delivered or offered for sale in transactions in intrastate commerce in such coal in all localities within the State of Pennsylvania shall be subject to the provisions of Section 4 of the Bituminous Coal Act of 1937, to the Bituminous Coal Code, as promulgated by the Commission and made effective on the 21st day of June, 1937, and to all relevant orders of the Commission in effect on the date of this order, as well as all further orders which may thereafter be issued by the Commission under Section 4 of said Act, so as to apply to such intrastate commerce in coal within the State of Pennsylvania.

2. That any producer of bituminous coal in intrastate commerce within the State of Pennsylvania, who may believe that his or its particular transactions in intrastate commerce in bituminous coal should be exempted from this order and/or from the provisions of Sections 4 and 4-A of

said Bituminous Coal Act of 1937, may file application at any time hereafter for exemption pursuant to the second paragraph of Section 4-A of said Act, and be entitled to a hearing and appropriate orders thereon.

3. That the Secretary of the Commission shall give notice to each known producer of bituminous coal within the State of Pennsylvania, who is not upon the date of this Order a member of the Bituminous Coal Code, by mailing, within five (5) days from this date, a copy of this Order, together with three (3) copies of the Form of Code Acceptance and rules prescribed by the Commission for filing acceptances, and a copy of the Bituminous Coal Code as promulgated under date of June 21, 1937.

The Secretary shall cause a copy of this Order to be published in the FEDERAL REGISTER, and shall also publish a copy thereof in a newspaper of general circulation in each county within the State of Pennsylvania known to produce bituminous coal, publication thereof to be made three (3) times within ten (10) days from the date of this Order.

By order of the Commission.

Dated this 21st day of December, 1937.

[SEAL]

F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 37-3781; Filed, December 27, 1937; 11:36 a. m.]

[Docket No. 128-FD]

IN THE MATTER OF THE PETITION OF VIRGINIA COAL OPERATORS' ASSOCIATION, INC., ET AL.

ORDER AND NOTICE FOR HEARING

The petitioner above named, Virginia Coal Operators' Association, Inc., and others, having filed with the Commission on the 20th day of December, 1937, a petition alleging dissatisfaction with certain of the minimum prices for coals of code members produced within Districts Nos. 7 and 8, established by the Commission by Orders Nos. 95 and 131 for District No. 7, and Orders Nos. 96, 132 and 169 for District No. 8, a copy of said petition being on file and available for inspection by interested parties in each of the Statistical Bureaus of the Commission within Districts Nos. 1 to 13, inclusive, and at the office of each District Board in each of said districts.

It is ordered that a hearing on said petition be held before the Commission, or duly designated Examiners, on the 5th day of January, 1938, at the hour of 10:00 o'clock A. M., in the hearing room of the Commission, Washington, D. C., at which time all interested parties shall be afforded an opportunity to be heard.

The Secretary of the Commission is directed, forthwith, to mail a copy of this order and notice to each petitioner, to the Secretary of each District Board of Districts Nos. 1 to 13, inclusive, and to each code member in Districts Nos. 7 and 8, and shall cause a copy hereof to be filed and made available for inspection at each of the Statistical Bureaus of the Commission for Districts Nos. 1 to 13, inclusive, and shall cause a copy hereof to be published in the FEDERAL REGISTER.

By the Commission.

Dated this 23rd day of December, 1937.

[SEAL]

F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 37-3780; Filed, December 27, 1937; 11:36 a. m.]

[Order No. 167]

AN ORDER TEMPORARILY REVISING THE SCHEDULE OF PRICES ESTABLISHED FOR DISTRICT NO. 10, IN RESPECT TO MINIMUM PRICE GROUP "G"

Peabody Coal Company, having on the 20th day of December, 1937, filed a petition with the National Bituminous Coal Commission, pursuant to the provisions of Section 4, Part II (d) of the Act, alleging dissatisfaction with certain of the minimum prices established for coals of code members within District No. 10, and praying for immediate and temporary relief as therein set forth by preliminary or tem-

porary order pending final disposition of such petition, and it appearing to the Commission that petitioner has made reasonable showing of necessity for the granting of the temporary relief prayed for therein,

Now, therefore, the National Bituminous Coal Commission, pursuant to the provisions of subsection (d) of Part II of Section 4 of the Bituminous Coal Act of 1937, hereby orders:

1. That pending final disposition of the aforesaid petition and until further order of the Commission, the Schedule of Minimum Prices for Coals of Code Members Produced Within District No. 10 and Supplement thereto be and the same are hereby revised by changing the mines indexed under "Mine Price Group 'G'" from said price group "G" to include them among the mines indexed under "Mine Price Group 'H'", and by striking from Supplement No. 1 to Price Schedule No. 1—District No. 10, under the heading "Transportation Differentials", the symbol and figure following: "G----- 60¢ per ton."

2. That except as herein temporarily revised, the minimum price schedule and supplements thereto, established for District No. 10, shall remain in full force and effect.

3. That the Secretary of the Commission, shall, forthwith, mail copies of this order to the Consumers' Counsel, the Secretaries of the Bituminous Coal Producers' Board for the district within Minimum Price Area No. 2 and to code members within District No. 10; shall cause a copy of this order to be made available for inspection by all interested parties at the office of the Secretary of the Commission and at all Statistical Bureaus of the Commission, and shall cause to be published a copy of this order in the FEDERAL REGISTER.

By order of the Commission.

Dated this 21st day of December, 1937.

[SEAL]

F. WITCHER McCULLOUGH, *Secretary*.

[F. R. Doc. 37-3777; Filed, December 27, 1937; 11:35 a. m.]

[Order No. 168]

AN ORDER PROVIDING FOR A HEARING TO DETERMINE THE NATURE AND EXTENT OF INTRASTATE COMMERCE IN BITUMINOUS COAL IN THE STATE OF NEW MEXICO AND THE EFFECT OF SUCH COMMERCE UPON INTERSTATE COMMERCE IN SUCH COAL, TO BE HELD AT ALBUQUERQUE, NEW MEXICO, ON JANUARY 6, 1938, BEFORE AN EXAMINER, AND NOTICE THEREOF

Pursuant to act of Congress entitled "An Act to regulate interstate commerce in bituminous coal, and for other purposes" (Public, No. 48, 75th Cong., 1st sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission, upon being advised that substantially all transactions in bituminous coal in intrastate commerce within the State of New Mexico directly affect interstate commerce in such coal and will cause undue and unreasonable advantage, preference or prejudice as between such commerce in New Mexico on the one hand and interstate commerce in such coal on the other hand as such interstate commerce is provided to be regulated by the Bituminous Coal Act of 1937, and that a hearing to determine the effect of intrastate transactions in bituminous coal upon interstate transactions in bituminous coal in the State of New Mexico would be desirable, and upon investigation hereby orders:

1. That on January 6, 1938, commencing at the hour of ten (10) o'clock A. M., at the Hearing Room of the Commission in the Hotel El Fidel, Albuquerque, New Mexico, a public hearing will be held to determine the nature and extent of intrastate commerce in bituminous coal in the State of New Mexico, and the effect of such commerce upon interstate commerce in such coal and to determine what, if any, undue or unreasonable advantage, preference or prejudice, will exist between localities in New Mexico in such commerce on the one hand and interstate commerce as regulated by the Bituminous Coal Act of 1937 on the other hand and what, if any, undue, unreasonable or unjust discriminations against interstate commerce in coal have occurred or will occur

under the administration of Section 4 of said Act to the end that the Commission may, after hearing, take such action as is necessary to give effect to the Bituminous Coal Code and to the provisions of Section 4-A of said Act.

2. That said hearing will be conducted by an Examiner designated by the Commission.

3. That interested parties may appear and present evidence at such hearing.

4. That any producer believing that particular transactions in intrastate commerce in bituminous coal are not subject to the provisions of the first paragraph of Section 4-A will, subsequent to the final order of the Commission in the proceeding herein noticed, be afforded full opportunity to file an application for exemption as provided in said section, upon which application a hearing will thereafter be held by the Commission upon proper notice given.

5. That failure of any producer to appear and present evidence at the hearing herein noticed to be held in Albuquerque, New Mexico, on January 6, 1938, will not prejudice the case of any producer to be heard upon such application.

6. That the Secretary of the Commission shall forthwith mail a copy of this notice to the Consumers' Counsel, to each known producer of bituminous coal in the State of New Mexico, and to the secretaries of all of the district boards, and shall cause to be published at the expense of the Commission copy of this order and notice for three (3) days in newspapers of general circulation in the counties of New Mexico in which bituminous coal is produced.

By order of the Commission.

Dated this 21st day of December, 1937.

[SEAL]

F. WITCHER McCULLOUGH, *Secretary*.

[F. R. Doc. 37-3778; Filed, December 27, 1937; 11:36 a. m.]

[Order No. 169]

AN ORDER TEMPORARILY REVISING THE SCHEDULE OF PRICES ESTABLISHED FOR DISTRICT NO. 8, INsofar AS THE SAME RELATE TO COALS USING NEW RIVER POCAHONTAS GROUP FREIGHT RATES AS BASE INTO MARKET AREAS 40, 41 AND 42

Virginia Coal Operators' Association, Incorporated, a corporation, comprised of code members within District No. 8, having on the 20th day of December, 1937, filed a petition with the National Bituminous Coal Commission, pursuant to the provisions of Section 4, Part II (d) of the Act, (Docket No. 128-FD), alleging dissatisfaction with certain of the minimum prices established for coals of code members within District No. 8, and praying for immediate and temporary relief as therein set forth by preliminary or temporary order pending final disposition of such petition, and it appearing to the Commission that petitioners have made reasonable showing of necessity for the granting of a temporary order.

Now, therefore, the National Bituminous Coal Commission pursuant to the provisions of subsection (d) of Part II of Section 4 of the Bituminous Coal Act of 1937 hereby orders:

1. That pending final disposition of the aforesaid petition, and/or until further order of the Commission, the Schedule of Minimum Prices for Coals of Code Members Produced within District No. 8, and any and all supplements thereto, established for said district, be and the same hereby are modified and revised to contain the following provision as if the same were fully set out therein:

"Code member mines in District No. 8 having freight rates in excess of the New River Pocahontas group rates may absorb the exact amount of the differential not exceeding 35¢ per ton into Market Areas 40, 41 and 42. The foregoing provision shall supersede any other provision contained herein to the contrary notwithstanding."

2. That except as herein temporarily revised, the minimum price schedules and supplements thereto, established for District No. 8, shall remain in full force and effect.

3. That the Secretary of the Commission, shall, forthwith, mail copies of this order to the Consumers' Counsel, the Secretaries of the Bituminous Coal Producers' Boards for the districts within Minimum Price Area No. 1 and to code members within District No. 8; shall cause a copy of this order to be made available for inspection by all interested parties at the office of the Secretary of the Commission and at all Statistical Bureaus of the Commission, and shall cause to be published a copy of this order in the FEDERAL REGISTER.

By order of the Commission.

Dated this 22nd day of December, 1937.

[SEAL] F. WITCHER McCULLOUGH, *Secretary*.

[F. R. Doc. 37-3779; Filed, December 27, 1937; 11:36 a. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DESIGNATION OF COUNTIES

NEW MEXICO

DECEMBER 22, 1937.

Pursuant to the provisions of Title I of the Bankhead-Jones Farm Tenant Act, and Section II 3 of Administration Order 230 of the Farm Security Administration, issued thereunder, and upon the basis of the recommendations of the New Mexico State Farm Security Advisory Committee, the following county is hereby designated as that in which loans, pursuant to said Title, shall be made for the fiscal year ending June 30, 1938:

Roosevelt

[SEAL]

M. L. WILSON,
Acting Secretary of Agriculture.

[F. R. Doc. 37-3768; Filed, December 23, 1937; 1:55 p. m.]

DESIGNATION OF COUNTIES

VIRGINIA

DECEMBER 22, 1937.

Pursuant to the provisions of Title I of the Bankhead-Jones Farm Tenant Act, and Section II 3 of Administration Order 230 of the Farm Security Administration, issued thereunder, and upon the basis of the recommendations of the Virginia State Farm Security Advisory Committee, the following counties are hereby designated as those in which loans, pursuant to said Title, shall be made for the fiscal year ending June 30, 1938:

Accomack, Bedford, Carolina, Halifax, Mecklenburg, Nelson, Scott, Southampton.

[SEAL]

M. L. WILSON,
Acting Secretary of Agriculture.

[F. R. Doc. 37-3767; Filed, December 23, 1937; 1:55 p. m.]

DEPARTMENT OF COMMERCE.

Bureau of Marine Inspection and Navigation.

MEASUREMENT OF AN ENGINE ROOM IN THE AFTER END OF THE HOLD OF A POWERED VESSEL

Pursuant to the authority contained in the Act of March 2, 1895, 28 Stat. 741, 743; U. S. C. Title 46, Sec. 79, Paragraph (b) article 39, "Measurement of Vessels," 1925, be and hereby is amended to read as follows:

When the propelling machinery space in the after end of the hold of a vessel extends from side to side of the same and has a continuous bottom line, divide its length into such an even number of parts as will give a common interval most nearly equal to that used in finding the tonnage of the hold in that part of the vessel; then proceed to find its contents by the use of areas of transverse sections taken at each end

and at each point of division of its length. In other words, measure it by the same method as was used for finding the tonnage of that part of the hold in which it lies.

[SEAL]

R. S. FIELD, *Director*.

Approved, December 23, 1937.

DANIEL C. ROPER,
Secretary of Commerce.

[F. R. Doc. 37-3785; Filed, December 27, 1937; 12:08 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

ANNUAL REPORT FORM FOR TELEGRAPH, CABLE AND RADIOTELEGRAPH CARRIERS FOR 1937

The Commission, Telegraph Division, at a meeting held September 7, 1937, adopted the following Report Form:

ANNUAL REPORT FORM O

The Telegraph Division adopted the revised Annual Report Form "O"¹ for telegraph, cable and radiotelegraph carriers for the calendar year 1937, with revisions made in accordance with suggestions received by the Accounting, Statistical, and Tariff Department, and approved a press release thereon.

[SEAL]

T. J. SLOWIE, *Secretary*.

[F. R. Doc. 37-3771; Filed, December 27, 1937; 10:28 a. m.]

ANNUAL REPORT FORM FOR USE OF HOLDING COMPANIES FOR 1937

The Commission, at a general session held September 22, 1937, adopted the following report form:

ANNUAL REPORT FORM H

The Commission approved Annual Report Form H and Statistical Circular No. 1 for 1937,² and issued a press release in connection therewith.

[SEAL]

T. J. SLOWIE, *Secretary*.

[F. R. Doc. 37-3772; Filed, December 27, 1937; 10:28 a. m.]

[Docket No. 4557]

IN RE APPLICATION OF HOWTON RADIO ALARM COMPANY, SEATTLE, WASHINGTON, FOR SPECIAL EXPERIMENTAL STATION

The Commission, at a meeting held on December 14, 1937, adopted the following Order:

The Commission having under consideration the petition of Howton Radio Alarm Company, applicant in the above-entitled matter, to permit further experimentation in connection with the operation under actual service conditions of a certain radio alarm device, and the opposition and supplemental opposition thereto of American District Telegraph Company, Intervener, and

It appearing that in order to more fully determine the facts in this matter bearing upon the final decision of the Commission in this case such further experimental authority is necessary.

And it appearing on the basis of tests heretofore made by the applicant in this matter which have been thus far reported to the Commission that these devices can be developed to a point where they may be operated so as not to interfere with the regular use of police radio facilities,

And it further appearing that while the tests heretofore made by the applicant and the evidence thus far adduced of record in this case have not demonstrated that these devices can be developed to a point where they will render a service not now adequately rendered through other communication facilities or that they can be made to operate so as not to

¹ The annual report forms were a part of the original documents filed with the Division of the Federal Register. The National Archives; requests for copies should be addressed to the Federal Communications Commission.

interfere with the protection offered by a properly organized and administered police department or that they are capable of rendering such efficient service as would justify the authorization of the use of such devices on a regular basis;

Nevertheless it appearing to the Commission that the applicant should be accorded every opportunity to demonstrate the practicability of such devices.

It is by the Commission this 14th day of December, 1937, ordered:

1. That the Commission will receive a limited number of applications from holders of licenses for police radio stations in the State of Washington for special experimental authorization to operate portable radio transmitting apparatus described as Howton Radio Alarm Model 7-A for a limited term not to extend in any case beyond June 30, 1938;

2. Any applications filed hereunder shall be accompanied with evidence in writing of the consent of other police licensees operating upon the frequency applied for, in contiguous areas, whose service might be interfered with by the granting of such applications;

3. Any licenses which may be issued under such applications shall provide for observation and inspection in connection with any operation thereunder by representatives of the Federal Communications Commission;

4. Such licenses shall further provide for submission by the licensee of reports containing data showing the results and effects of any operation thereunder;

5. Any such licenses shall be issued on a special temporary basis, only, and upon the express condition that they may be terminated by the Commission at any time, without advance notice or hearing; if in the discretion of the Commission need for such action should arise;

6. No such license shall authorize the use of an amount of power in the excess of 50 watts;

7. Licensees shall accept responsibility for the maintenance of complete log records showing all actual operations of the device and including, as far as possible, information as to the cause of operation, such as an actual criminal act or fire, defects in equipment, defects in installation, or carelessness on the part of the occupant of the premises protected;

8. A properly qualified operator, or operators, shall be kept on duty at a central point within the receiving range of the station, and a continuous watch shall be maintained by such operator, or operators, to observe the operation of the transmitter at all times;

9. The Howton Radio Alarm Company shall be permitted to install, inspect, and maintain such devices, and shall be permitted to make a charge for same, which charge, however, shall not exceed the amount of actual expense for the construction, operation, and maintenance of the station;

10. The installation of these devices shall be pursuant to written agreements between the Howton Radio Alarm Company and the licensee, which such agreements shall be submitted to the Commission, accompanying the application for approval;

Provided, however, That nothing contained in this order shall constitute a determination that the operation of any such devices on a regular basis will serve public interest, convenience and necessity.

By the Commission.

[SEAL]

T. J. SLOWIE, *Secretary.*

[F. R. Doc. 37-3773; Filed, December 27, 1937; 10:28 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of December A. D., 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr.; Charles H. March, Ewin L. Davis, Robert E. Freer.

[File No. 21-313]

IN THE MATTER OF PROPOSED TRADE PRACTICE RULES FOR THE METAL CLAD DOOR AND ACCESSORIES MANUFACTURING INDUSTRY

NOTICE OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS OR OBJECTIONS

This matter now being before the Federal Trade Commission under its Trade Practice Conference procedure, in pursuance of the Act of Congress approved September 26, 1914, (38 Stat. 717);

Opportunity is hereby extended by the Federal Trade Commission to any and all persons affected by or having an interest in the proposed trade practice rules for the Metal Clad Door and Accessories Manufacturing Industry to present to the Commission their views upon the same, including suggestions or objections, if any. For this purpose they may, upon application to the Commission, obtain copies of the proposed rules. Communications of such views should be made to the Commission not later than January 11, 1938. Opportunity for oral hearing will be afforded at 10 a. m., January 11, 1938, in the main hearing room, Federal Trade Commission Building, 815 Connecticut Avenue, N. W., Washington, D. C., to such persons as may desire to appear, and who shall have made prior written or telegraphic requests to be heard orally. After giving due consideration to such views, suggestions or objections as may be received concerning the proposed rules, the Commission will proceed to their final consideration.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 37-3774; Filed, December 27, 1937; 10:45 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of December, A. D. 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr.; Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3005]

IN THE MATTER OF FORD MOTOR COMPANY, A CORPORATION, AND UNIVERSAL CREDIT CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717, 15 U. S. C. A., Section 41),

It is ordered, That Edward E. Reardon, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, January 12, 1938, at ten o'clock in the forenoon of that day (eastern standard time), room 921, Federal Building, Detroit, Michigan.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 37-3784; Filed, December 27, 1937; 12:05 p. m.]

*United States of America—Before Federal Trade
Commission*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of December, A. D. 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr.; Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3001]

IN THE MATTER OF GENERAL MOTORS CORPORATION; CHEVROLET MOTOR COMPANY, A CORPORATION; OLDS MOTOR WORKS, A CORPORATION; PONTIAC MOTOR COMPANY, A CORPORATION; BUICK MOTOR COMPANY, A CORPORATION; AND GENERAL MOTORS ACCEPTANCE CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR
TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That Edward E. Reardon, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, January 18, 1938, at ten o'clock in the forenoon of that day (eastern standard time), in room 921, Federal Building, Detroit, Michigan.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 37-3783; Filed, December 27, 1937; 12:05 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

**RULES UNDER PUBLIC UTILITY HOLDING COMPANY ACT OF 1935
AMENDMENT TO RULE 17C-3**

The Securities and Exchange Commission, acting pursuant to the authority granted by the Public Utility Holding Company Act of 1935, particularly section 17 (c) thereof, and finding that, in the cases specified in the following rule, and subject to the conditions and limitations therein prescribed, it will not adversely affect the public interest or the interest of investors or consumers for a registered holding company or subsidiary company thereof to have as an officer or director thereof, a person who has a financial connection (as defined in rule 17C-1), hereby amends rule 17C-3 so that the same shall read as follows:

RULE 17C-3. Officers and directors approved by a federal court.—(a) Subject to the limitations as to time prescribed in paragraph (b), a registered holding company or subsidiary company thereof may have as an officer or director, or both, a person who has a financial connection (as defined in rule 17C-1), if a court of the United States in connection with a reorganization proceeding (whether in equity or pursuant to section 77B of the Bankruptcy Act) has specifically directed or approved of the election or appointment of such person in the capacity of director or officer of such company or as a director or officer or voting trustee of any company (including a voting trust) of which it is a subsidiary.

(b) The provisions of paragraph (a) of this rule shall cease to be applicable upon whichever of the following dates is the earliest:

(1) At the expiration of any specific term for which such person shall have been appointed or designated by the court; or

(2) Five years after such appointment or designation; or

(3) On December 31, 1939.

AMENDMENT TO RULE 7A-1

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly Sections 7 and 20 (a) thereof, and finding that such action is necessary and appropriate in the public interest and for the protection of investors and consumers and to carry out the provisions of said Act, the Securities and Exchange Commission hereby amends Rule 7A-1 to read as follows:

RULE 7A-1. Form of declarations.—(a) Declarations pursuant to Section 7 in respect of the issue or sale of any security of a registered holding company or subsidiary company thereof, or of the exercise by any such company of any privilege or right to alter the priorities, preferences, voting power or other rights of the holders of an outstanding security of any such company shall comply with Form U-7 and Instructions for Form U-7, dated April 9, 1936, and shall contain the information therein specified.

(b) Such a declaration shall become effective only at such time as the Commission shall fix by order. Every order for hearing on a declaration shall include an order to declarant to show cause why such declaration shall become effective.

AMENDMENT TO RULE 3

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Public Utility Holding Company Act of 1935, particularly Section 20 (a) thereof, and finding it necessary and appropriate to carry out the provisions of said Act, hereby amends Rule 3 under said Act to read as follows:

RULE 3. General requirements of application and declarations.—(a) For the purposes of this rule, the word "application" includes any application for an order of the Commission or any declaration filed pursuant to any requirement of the Act or any rule thereunder.

(b) Every application shall comply with the provisions of rule 2, and with the requirements of any rule, form, or instructions specifically applicable thereto. If, however, any information to be given is not available without unreasonable effort or delay, or is deemed by the applicant to be irrelevant to the question presented, the applicant may omit such information, briefly indicating the reasons for such omission, and submitting instead such other information, if any, as it may deem relevant. In any case involving a question of control an applicant may admit control in whole or in part and, to such extent, omit the information bearing on this question. If any applicant is in doubt as to the interpretation of any requirement of any rule or instruction, it should, in making its application, adopt the interpretation which seems to it most reasonable, and expressly explain the interpretation adopted. All applications shall be subject to the right of the Commission to require additional information, whether specified by any rule or instruction or not. The applicant may at its option include any additional information not required by the Commission. Each application should contain a brief statement of the reasons why the applicant is deemed to be entitled to the action requested with a reference to the provisions of the Act and of the Rules and Regulations under which application is made.

(c) Any application may incorporate by reference any information contained in any other application previously or concurrently filed, whether by the same or by a different applicant. Any one applicant may file a combined application for different orders or file separate applications, but, if separate, each such application should include an express reference to the other. Any two or more applicants may file joint applications where substantially the same questions of fact are involved. Orders may be requested in the alternative, but in such case the applicant's preference should be indicated.

(d) Any application may state that the applicant offers the application in evidence pursuant to this paragraph of this rule at any hearing on such application. If such offer is made, the application shall be received in evidence at the

hearing as proof in support of the allegations therein without the necessity of the applicant appearing and introducing further evidence, unless

(A) counsel for the Commission objects; or

(B) objection is made on behalf of any interested State commission, State securities commission, municipality, or any political subdivision of a State; or any person having a bona fide interest in such proceeding appears and objects.

If counsel for the Commission intends to object to the admission in evidence of the application or in advance of the hearing date is apprised of the intention of any person having a bona fide interest in the proceeding to appear in opposition to the application, he shall promptly advise the applicant thereof. If such objection or opposition is first made at such time that reasonable notice thereof cannot be given to the applicant, and the applicant does not appear, the hearing shall be continued to permit the applicant to appear and support its application at the adjourned date thereof. Unless the Commission otherwise directs, the application shall be dismissed if the applicant fails to appear and support its application after it has been notified by counsel for the Commission of such objection or opposition. Nothing in this paragraph shall be construed as preventing the receipt in evidence of any document or other evidence duly tendered at any hearing for a purpose for which it would be appropriate and competent apart from the provisions of this paragraph.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3792; Filed, December 27, 1937; 1:00 p. m.]

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO RULE AN21

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly Sections 3 (a) (12), 10 (b) and 23 (a) thereof, hereby amends paragraph (a) of Rule AN21 by deleting the words "five hundred and ninetieth" and inserting in lieu thereof the words "six hundred and eightieth".

Paragraph (a), as amended, reads as follows:

(a) Evidences of indebtedness (i) which have been issued by any foreign state that is presently governed by an interim government which is holding office temporarily and which is to continue to hold such office only until the assumption thereof by a regular government which has been elected and (ii) as to which temporary exemption from the operation of Section 12 (a) shall expire pursuant to the terms of Rule AN7 on May 15, 1936, and as to which registration shall not be effective on that date, shall be exempt from the operation of said Section 12 (a) to and including the six hundred and eightieth day following the assumption of office by such elected regular government.

The foregoing action shall be effective immediately upon publication.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3787; Filed, December 27, 1937; 12:59 p. m.]

RULES OF PRACTICE OF THE SECURITIES AND EXCHANGE COMMISSION

AMENDMENTS TO RULE VIII OF RULES OF PRACTICE

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933,

as amended, particularly Section 19 (a) thereof, the Securities Act of 1934, particularly Section 23 (a) thereof, the Public Utility Holding Company Act of 1935, particularly Section 20 (a) thereof, and finding that it is necessary to carry out the provisions of the Securities Act of 1933, as amended, and the Public Utility Holding Company Act of 1935, and that it is necessary for the execution of the functions vested in the Commission by the Securities Exchange Act of 1934, hereby amends Rule VIII of the Rules of Practice of the Commission by altering paragraphs (b) and (f) of said Rule to read as follows, and by adding thereto the following paragraph (g):

(b) Following any hearing before a trial examiner relating to any matter other than the question of postponement of the effective date of registration of a broker or dealer under Section 15 (b) of the Securities Exchange Act of 1934, as amended, pending final determination whether such registration shall be denied, the trial examiner shall, within 10 days after receipt of the transcript of the testimony, file with the Secretary of the Commission his report containing his findings of fact (except as otherwise provided in paragraphs (f) and (g) hereof).

(f) The provisions of this rule and of Rules IX, X and XI shall not be applicable to hearings pursuant to Clause 30 of Schedule A of the Securities Act of 1933, as amended, or hearings pursuant to Section 24 (b) of the Securities Exchange Act of 1934, as amended.

(g) The provisions of this rule, Rule IX paragraph (a) of Rule X, and paragraphs (a), (b) and (c) of Rule XI shall not be applicable to a proceeding pursuant to any provision of the Public Utility Holding Company Act of 1935 unless the Commission shall specifically order the filing of a Trial Examiner's report. Unless specific request is made in each case, it will be assumed that neither oral argument nor the privilege of submitting briefs to the Commission is requested.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3791; Filed, December 27, 1937; 1:00 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 23d day of December, A. D. 1937.

[File Nos. 32-75, 46-83 and 46-82]

IN THE MATTER OF KEOKUK ELECTRIC COMPANY, FORT MADISON ELECTRIC COMPANY, DALLAS CITY LIGHT COMPANY

ORDER FIXING EFFECTIVE DATE OF DECLARATION REGARDING ISSUE AND SALE OF STOCK AND APPROVING ACQUISITION OF SECURITIES AND ASSETS

Keokuk Electric Company, a subsidiary of a registered holding company, having filed a declaration, pursuant to Section 7 of the Public Utility Holding Company Act of 1935, with respect to the issue and sale of 12,207 shares of its no par value common stock in exchange for the properties and assets of Fort Madison Electric Company and Dallas City Light Company; said Keokuk Electric Company having filed an application, pursuant to Section 10 of the Act, for approval of the acquisition by it of the properties and assets of Fort Madison Electric Company; and Dallas City Light Company and Fort Madison Electric Company, also subsidiaries of a registered holding company, having each filed applications, pursuant to Section 10 of the Act, for approval of the acquisition by each of 1,574 shares and 10,633 shares, respectively, of the aforesaid common stock to be issued by Keokuk Electric Company in exchange for the properties and assets of such companies;

Hearings on said declaration and applications, as amended, having been held after appropriate notice; the record in

these matters having been duly considered; and the Commission having filed its findings herein;

It is ordered, That such declaration of Keokuk Electric Company be and become effective forthwith, on condition, however, that the issue and sale of the aforesaid stock shall be effected in substantial compliance with the terms and conditions set forth in, and for the purposes represented by, said declaration;

It is further ordered, That such acquisition by Keokuk Electric Company of all the properties and assets of Fort Madison Electric Company in accordance with the terms and conditions set forth in, and for the purposes represented by said application, as amended, be and the same hereby is approved; and

It is further ordered, That such acquisitions by Dallas City Light Company and by Fort Madison Electric Company of the aforesaid stock in accordance with the terms and conditions set forth in, and for the purposes represented by, said applications, be and the same hereby are approved.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3789; Filed, December 27, 1937; 12:59 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 23rd day of December, 1937.

[File No. 1-1659]

IN THE MATTER OF TASTYEAST, INC. CLASS A STOCK

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

The Board of Trade of the City of Chicago, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to strike from listing and registration the Class A Stock of Tastyeast, Inc.; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on January 3, 1938.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3786; Filed, December 27, 1937; 12:59 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C. on the 23rd day of December, 1937.

[File No. 1-237]

IN THE MATTER OF UNITED CHEMICALS, INC. \$3 CUMULATIVE PARTICIPATING PREFERRED STOCK, NO PAR VALUE

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

The Chicago Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to strike from listing and registration the \$3 Cumulative Participating Preferred Stock, No Par Value, of United Chemicals, Inc.; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on January 3, 1938.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3780; Filed, December 27, 1937; 1:00 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 23rd day of December, A. D. 1937.

[File No. 51-8]

IN THE MATTER OF COMMONWEALTH GAS & ELECTRIC COMPANIES
ORDER PURSUANT TO RULE 12C-2 AND SECTION 7 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Commonwealth Gas & Electric Companies, a subsidiary company of New England Power Association, a registered holding company, having applied pursuant to Rule 12C-2 for approval of the payment of a dividend of \$2.50 per share on its preferred shares, out of capital or unearned surplus, and by amendment having requested that such application be considered also as a declaration regarding an alteration in the aggregate expressed value of its preferred and common shares; a hearing on the application and declaration, as amended, having been held after appropriate notice; and the Commission having made and filed its findings herein;

It is ordered, That the payment of such dividend be and the same hereby is approved, and that such declaration be and become effective, subject to the terms and representations contained in said application and declaration.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-3788; Filed, December 27, 1937; 12:59 p. m.]

Wednesday, December 29, 1937

No. 251

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

TRANSFERRING CERTAIN LANDS FROM THE DEPARTMENT OF AGRICULTURE TO THE DEPARTMENT OF COMMERCE AND RESERVING THEM AS THE MCKINNEY LAKE FISH HATCHERY

North Carolina

By virtue of and pursuant to the authority vested in me under Title II of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 200), it is ordered that the following-described lands in Richmond County, North Carolina, acquired by the United States through the Farm Security Administration, be, and they are hereby transferred from the Department of Agriculture to the Department of Commerce and reserved and set apart for the use of the Department of Commerce, Bureau of Fisheries, subject to valid existing rights, as a fish hatchery:

Beginning at the intersection of two lines cut in the top of a granite monument, 7 in. by 5 in. standing 4 in. above the ground, the geographic position of which is in latitude 35°00'21" N. and longitude 79°38'19" W. from Greenwich, from which the azimuth (measured clockwise from true South) and distance to the U. S. Coast and Geodetic Survey Triangulation station Cognac is 137°18'47", 15,304.7 feet;

Thence by true azimuth (measured clockwise from true South at said triangulation station Cognac) 106°29'26",